

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Judgment Creditor,

v.

KRISTIAN RHEIN,

Judgment Debtor,

and

MORGAN STANLEY SMITH BARNEY, LLC,

Third-Party Respondent.

20 CR 160-13 (MKV)

**NOTICE OF MOTION
FOR TURNOVER ORDER**

PLEASE TAKE NOTICE that the United States of America, by its attorney, Damian Williams, United States Attorney for the Southern District of New York, with notice to the judgment debtor, Kristian Rhein, moves before the Honorable Mary Kay Vyskocil United States District Judge, United States Courthouse, 500 Pearl Street, NY, pursuant to 18 U.S.C. § 3613, Federal Rule of Civil Procedure 69(a)(1), and N.Y. CPLR § 5225(b), upon the accompanying declaration and memorandum of law, to enter a turnover order directing the respondent, Morgan Stanley Smith Barney, LLC, to liquidate securities in Rhein's retirement accounts as needed to submit \$743,510 to the Clerk of Court in satisfaction of the fine and restitution in this case.

Date: February 14, 2023
New York, New York

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney

By: /s/ Melissa A. Childs
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TO: Morgan Stanley Smith Barney, LLC
Attn: Levies & Garnishments Unit
100 South Charles St., 4th Fl.
Baltimore, MD 21201
Third-Party Respondent

Kristian Rhein
Register Number: 87904-054
FCI Fort Dix
P.O. Box 2000
Joint Base MDL, NJ 8640
Defendant